

DESIGN REVIEW BOARD MEETING
Multipurpose Room, Civic Center Building, Basement Level
450 Civic Center Plaza, Richmond CA 94804
August 22, 2012
6:00 p.m.

BOARD MEMBERS

Ray Welter, Chair	Brenda Munoz, Vice Chair
Robin Welter	Eileen Whitty
Mike Woldemar	Don Woodrow

Chair Ray Welter called the meeting to order at 6:02 p.m.

ROLL CALL

Present: Chair Ray Welter, Vice Chair Brenda Munoz, Boardmembers Robin Welter, Mike Woldemar and Don Woodrow

Absent: Boardmember Eileen Whitty

Staff Present: Jonelyn Whales, Hector Lopez and Carlos Privat

APPROVAL OF AGENDA

ACTION: It was M/S (Woldemar/Woodrow) to approve the Agenda; unanimously approved.

Public Forum - Brown Act - None

CONSENT CALENDAR:

Chair Ray Welter noted the agenda consists of three Consent Calendar items; the first has been withdrawn by the applicant. He asked if any members of the Board, staff, or audience wished to remove any item. Boardmember Woodrow requested removal of Item 2.

He announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Tuesday, September 4, 2012 by 5:00 p.m.

ACTION: It was M/S (Woldemar/Munoz) to approve the Consent Calendar consisting of Items 1 and 3; unanimously approved.

Items Approved on the Consent Calendar:

CC 1. PLN12-108 THYSELL NEW SINGLE-FAMILY RESIDENCE ON TEHAMA AVENUE
Description ***(Held Over from 7/11/2012)*** REQUEST FOR DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW ±2,051 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH AN ATTACHED SECOND DWELLING UNIT.
Location 5900 TEHAMA AVENUE
APN 508-282-025
Zoning SFR-3 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL)

Owner BARRY AND SU THYSELL
Applicant WILLIAM COBURN
Staff Contact KIERON SLAUGHTER Recommendation: **WITHDRAWN BY APPLICANT**

CC 3. PLN12-147 REYNOLDS RESIDENTIAL REMODEL AND RENOVATION ON OCEAN AVE

Description *(Held Over from 7/25/2011)* REQUEST FOR DESIGN REVIEW APPROVAL TO REMODEL AND RENOVATE AN EXISTING DWELLING THAT EXCEEDS 15 FEET IN HEIGHT, AND PROVIDE A SUSTAINABLE STRUCTURE THAT UTILIZES GREEN PRACTICES AND MATERIALS.

Location 841 OCEAN AVENUE
APN 558-233-006
Zoning SFR-2 (SINGLE-FAMILY VERY LOW DENSITY RESIDENTIAL)
Owner DEBORAH REYNOLDS
Applicant CATE LEGER
Staff Contact JONELYN WHALES Recommendation: **HOLD OVER TO 9/12/2012**

Item Removed from the Consent Calendar:

CC 2. PLN12-148 COMMERCIAL RENOVATION AND ADDITION ON HILLTOP DRIVE

Description *(Held Over from 7/25/2012)* REQUEST FOR DESIGN REVIEW APPROVAL FOR THE RENOVATION AND EXPANSION OF AN EXISTING COMMERCIAL CENTER, INCLUDING LANDSCAPE AND PARKING LOT IMPROVEMENTS.

Location 4261 HILLTOP DRIVE
APN 426-292-025
Zoning C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT)
Applicant HARI KALRA (OWNER)
Staff Contact HECTOR LOPEZ Recommendation: **CONDITIONAL APPROVAL**

Hector Lopez gave the staff report and description of the request for design review approval for renovation and expansion of an existing commercial center, including landscape and parking lot improvements, and staff recommends approval.

Boardmember Woldemar noted that the drawings indicate that all signage is to be internally illuminated individual letters. It all appears to be 24" high but there is no further information about the sign program. He asked if staff was amenable to condition signage to be 24" high as well as "X" length. Mr. Lopez said there is a condition requiring the sign to be reviewed by the Zoning Administrator and this specificity could be added.

Boardmember Woodrow stated the coffee company has their own signage country-wide and he asked if staff has discussed with them as to whether they can conform to Richmond's rules, and Mr. Lopez said the applicant has not signed off an actual tenant to date. Boardmember Woodrow asked and confirmed that the condition would require the applicant conform to a sign that is 24" by a certain length long.

Boardmember Woodrow said the DRB agreed that the staff report would contain a summary of any meetings held between the applicant and representatives from the Board. There was a meeting held but nothing is contained in the staff report. He asked to include information on the date, attendees, and a summary of the meeting be included in the future. Mr. Lopez apologized

and said he will do so in the future. He said the main concern has been the drive-through and the Planning Commission process for a CUP.

Boardmember Woodrow pointed out that for the first time in any report someone from the City Council has appended a meeting between the applicant and staff. He wished the same could be done for the DRB and said no Council representative has attended meetings in the past and he hopes this shows a change in thinking on the part of the City Council.

Chair Raymond Welter referred to page 5 under zoning conformity, 3rd paragraph, which states, "Pursuant to Section... of the zoning ordinance, non-conforming uses due to inadequate parking and/or landscaping may be enlarged or altered as long as the cost of such change does not exceed the current appraised value of the original buildings." The next sentence states, "The proposed renovation and improvements including a 960 square foot addition are not likely to exceed the original appraised value" and he asked if the word "original" should state "current". Mr. Lopez concurred and said staff can revise this and replace the words with "current appraised value."

The public hearing was opened.

Dee Kalra, applicant, said today he is presenting a design of their proposed shopping center that he and his father are working on and there was good opportunity to rebuild the center. Their large tenant has left and given the condition of the building and it is important to move forward given community support. They wanted to reach out to tenants that would fit the community and across the street from a large memorial park, thus the idea of a drive-through coffee business. He thanked the City for the feedback from all regulatory bodies and staff, have accepted most conditions, and they intend to make a wise investment that calls for an appropriate building, tenants, with something the community can use.

Dave Johnson, Johnson Lyman Architects, spoke of their work to renovate the center, incorporating elements that help break up the façade. He said while there is no commitment from any coffee user, hopefully Starbucks will sign up with the approval, it will spin out everything else, as they are the motivating force. This is why they went to the Planning Commission to get the drive-through approval first which was key to the entire project. They also had a preliminary design review session and tried to respond to comments. He discussed their work to breaking up the architecture with tower features, decorative lights, decorative awnings, cornices, bases, adding planters at the base, adding pedestrian bike racks, trash urns and all amenities that help tie the center together. One thing they have struggled with is landscaping. Along the frontage, it is a flat site and at one corner about 3-4 feet higher which drops down to zero at the driveway. With a planter in the middle, it is narrow, a 2 foot drop but it is also a retaining wall. To widen it, the applicant's budget is limited and it is a big cost to do that and not a simple proposition. To redesign and rebuild it will not be inexpensive.

Another issue is that the building must be sprinklered. They have not had any discussions with the Fire Department. They are adding 960 square feet in the middle. There is a gap between the two buildings which is an open breezeway. It was brought up that filling it in added more square footage and it was a nice amenity; however, this will initiate sprinklers which will impact them greatly and kill the project. He did not see the need for this as it is a façade upgrade.

Along with the building design, they are adding two new trash enclosures and both will be covered with a roof and similar color scheme, and the colors also break up the palette. They have vines throughout the project along the street and they have a pretty substantial landscape statement to soften the edge. They have also incorporated planters for trees or plants that will fit the 4x4 space. They have also provided handicapped access currently showing 17 stalls, but the condition requires 18; however, they believe they can adhere to that condition. But the two

conditions that stood out are the sprinklers and the planter/retaining wall in the front. All in all, he thinks the project is going to be a nice addition to the neighborhood and the applicants have invested a substantial amount of money into the architecture.

Boardmember Robin Welter questioned and confirmed the parking lot would be overlay, a new sidewalk will be installed which are basically flush with the paving. They will need to do some scraping of some sort. Boardmember Robin Welter referred to the retaining wall, and Mr. Kalra stated this is a significant cost, and they have put a lot of money into the look and feel image, the aesthetics of the building and to move the retaining wall back it would be a deal breaker for them. He said they could add more trees, but to move it back an additional 4.5 to 5 feet to meet the condition, it would kill the project.

Mr. Johnson added that while it is not the Board's concerns about economics, he thinks the bottom line is that whatever decision is made, they will have to appeal it if the condition to move the wall is forced. Boardmember Robin Welter said if they are planning on repaving and chipping 3-4 feet out, she suggested leaving the wall and making a new planter area which will add more planting area or put something on top of the wall as a barrier. She agrees there needs to be more trees lined up with the proposed trees that are already shown on the plans, and Mr. Johnson said they could make a simple curb and plant shrubs that could grow high enough above the wall.

Mr. Johnson referred to the signage. He noted they are 2' high signs and the issue is always one of what fits on the wall surface and how it looks. He just assumed that whatever sign is submitted would have to go before staff to be reviewed. He said the sign would not go to the edge of either one of the columns. Mr. Kalra added that they are reaching out to AAA tenants that open up new cafes every day and they want the best for the center for themselves as well as for those that want to use it.

Boardmember Robin Welter said the plant choices are pretty hardy plants and she voiced suggested changes to pull one in and matching another to tie into the rhythm and spoke about the ability of maneuvering around.

Mr. Johnson stated that the applicants met with the homeowners and the concern of a new wooden fence was brought up. Mr. Kalra noted that the recommendation was to close up the gaps, put some vines on it which will reduce concerns. They have offered in return to build a brand new 8 foot tall fence. He added there have been no complaints about the car wash.

Boardmember Woldemar noted that he and Planning Commissioner Butt did have an earlier subcommittee meeting with the applicant. At that time, he remembers the conversation about cost implications while addressing design. He remembers that they saved significant costs by reducing the center tower and they are continuing to look at the design from the point of view of dollars versus result and certainly want a better new business in this location.

Boardmember Woldemar said the staff report makes note that the Planning Commission added the condition to put the landscape planter across the front. Mr. Lopez said they recommended it and not necessarily something the applicant is obligated to. Boardmember Woldemar said the Fire Marshal indicated the applicant shall put a fire sprinkler system in, and this is not something the DRB has the prerogative to change. He asked if the DRB has the authority to amend the condition. Mr. Privat stated it is more boilerplate and he does not think the condition arose from a true concern from the Fire Marshal. He believes the Board could equivocate it somewhat to give the Fire Marshal discretion to require it or not. Boardmember Woldemar asked and confirmed that Mr. Privat would word a condition that makes it subject to the Fire Marshal's review.

Boardmember Woldemar referred to page 3 of the staff report, and said the existing maneuvering aisles are about 6 feet and in the condition, staff indicated 8 feet. He is assuming Mr. Lopez meant 8 additional feet to what is there. Mr. Lopez said the minimum dimension is 2 feet existing, and this results in a maneuvering aisle of 29 or 30 feet. Boardmember Woldemar said in lieu of removing the retaining wall, he said there is no reason there couldn't be a new curb placed inbound and mound up against it as long as there is enough room from the curb to the retaining wall to do a proper mound. He made the note that there would be 8 feet additional, so if it is a 4 foot high retaining wall with a 2:1 slope, this is manageable.

Boardmember Woldemar said there is the condition of it being landscaped, and one should be additional trees along the frontage. If the argument is that this would block the view of the building, he suggested planting trees with higher crowns so people can look through them.

Boardmember Woldemar said he heard about the new fence along the north side, but there is no information about the design of it. He asked and confirmed with Mr. Johnson that it is a wood fence, board on board type, 8 feet high, and set on a retaining wall. On the residential side, it will be at least 10 feet. Mr. Kalra said when they discussed the height of the fence on site, the Hilltop Green Association representatives were there and it was assumed the fence was supported and there were no further comments at the Planning Commission hearing three weeks ago. Boardmember Woldemar said if it is 10 feet, he asked if this is acceptable per ordinance. Mr. Lopez said anything over 6 feet is subject to approval by the Planning Director. He said the second issue was that the fence be insulated to reduce noise, and Mr. Johnson remembers the discussion that it be airtight without gaps.

Boardmember Woodrow questioned whether it is a fence or a sound wall, which are entirely different. Mr. Johnson said he has been told that if it is airtight, acoustically it resists noise transmission and the air gaps are what are of utmost importance. Mr. Kalra added that Mr. Mitchell indicated he knew of similar fences in another neighborhood in Pinole and in Hercules and working on Caltrans in noise issues. Chair Raymond Welter pointed out that he never heard of a noise issue and added that there is a car wash without complaints for 17 years.

Boardmember Woodrow referred to the drive-through speaker and spoke of his experience with noise. He noted that it will be back a few car lengths next to the wall. While it is oriented towards the car, he asked for some flank shields that would reduce any speaker noise.

Boardmember Woldemar said typically there is a car count before the window on drive-through windows. He asked if it is possible to tinker with the landscape island behind the refuse bins such that the cars could be bent further south quicker and then transfer the lost landscaping on the fence and this then gets more room for something that has an appropriate acoustical aspect. Condition #6 states, "The proposed landscaping along the sound wall fence shall include evergreen shrubs, dense foliage at least 6 feet tall at the time of planting, mature height to 16 feet." Therefore, there is additional landscaping discussion that should occur as well. He asked why an 8 foot high wall is needed, given that the acoustical part of it is the rumbling of cars down low. Mr. Johnson agreed to look at this. Boardmember Woldemar suggested the fence should be a good neighbor fence, not a chain link redwood slat fence, and it should have some vines on it to soften it such as trumpet vines.

Boardmember Woldemar said his last comment has to do with saving money. There is nothing known about the signs, he likes the three brown sections of limiting the length of those to the inside face of the columns but he also notes that they all have decorative lighting. He felt one or the other would be sufficient, given the expense. He suggested deleting the decorative lighting and putting the landscaping across the front. Mr. Johnson agreed this would be a great compromise. Boardmember Woldemar referred to the sign locations, elevations and dimensions and suggested this be illustrated better. He thinks the vertical spacing between retail and tenant

is a little weird from a peer graphics point of view. He also referred to the left hand tower where there is a box, and he felt this would be a great place to call out the Starbucks or other vendor logo, and he suggested writing this into the sign plans.

Boardmember Woodrow noted that there are 500 homes behind the project which are probably college and high school students. He has never been in a coffee shop without half the seats inside full of students. They will also occupy parking in front and he asked if they will have some sort of policy about seating and parking of students. Mr. Kalra said they hope the tenants will have something in place, as their reach can only go so far into the tenant's business. They brought up the request that the tenants hire from within the community and they would ask to respectfully monitor the amount of traffic and parking. If students spend several hours on the Wi-Fi to download several free movies, this is inappropriate. So, any coffee tenant understands this and some have door signage regulating this. Boardmember Robin Welter agreed that Peet's Coffee is addressing this and students are only getting one hour where they request a coupon with a Wi-Fi code.

Chair Raymond Welter referred to the fence along the drive aisle and said if landscaping is increased in front of this, anything affixed to the fence will help it acoustically. He did not think there needed to be any insulation added. Regarding signage, when entering from Park Central to go to either the car wash or drive-through, he asked how they will tell people where to go. Mr. Johnson said right now it is an in and out driveway and there will need to be some sort of directional signage by the tenant. Mr. Kalra said car wash owners typically have an entrance and exit sign and they will do the same.

Chair Raymond Welter stated there has been talk about the landscaping on the right side of the site. He also pointed out landscaping at the car wash and gas station, and he asked if there were any plans to tie it all into the same landscaping program. Mr. Kalra said they are two separate parcels, and although ownership is common right now, this could change. He described planters, lines of trees, and the landscaping image is separated through this submission. Chair Raymond Welter asked if there was consideration in this design to coordinate with what exists on the car wash side as far as street tree types, spacing, or others. Mr. Kalra said he wants it to look the same and he likened it to the desired effect of driving down the Embarcadero with all palm trees.

Boardmember Woldemar said it does talk about commercial properties having street trees along the sidewalk. These sidewalks are 8 feet wide and normally they would see 4 foot square pockets along the way. Because of the valuation of the project, this is a logic for not requiring these albeit two different parcels or not. The idea of doing the parking lot planter strip and putting some trees does the same thing. Mr. Johnson asked for the Board's resolution on how much width they want to add to the planter at the bottom. Currently the gap is about 32 feet, and Boardmember Woldemar said they can go down to 25 feet for the drive aisle. He said if they are leaving the existing curb and at the end the planter is quite deep already and 3-4 feet high, they will not make grade. The basic idea is to bury the curb rather than removing it because by the time they cut out asphalt, it may be cheaper to tear the wall out and re-pile dirt in it. Boardmember Robin Welter suggested a 30 foot drive aisle, and Chair Raymond Welter confirmed with Mr. Lopez that it will not all be 8 feet in the entire length.

Boardmember Woldemar suggested wording read "an additional 8 foot wide landscape strip" meaning from the back of the wall into the parking lot, take out 8 feet of asphalt, put a curb in, pile dirt into it, put the dirt level all the way to the top of the wall, and then plant trees in that area. Boardmember Robin Welter suggested 5 feet would be the minimum in one area with more at either end, as it is only a 1 to 1.5 foot difference. Mr. Johnson voiced concern with taking out the retaining wall. Boardmember Woldemar suggested "an additional 5 foot wide landscape strip from back of curb" which will not require them to remove the wall. He said the

curb could be used as the tire stop so the car is not hitting the shrubs. Mr. Johnson agreed this is a valid compromise to not take out the wall, but put in a new curb about 3 feet from the wheel stops and take paving out and put in landscaping.

Hari Kalra, owner, disagreed that a large truck would back in and extend 4 feet beyond the end of the stop which causes trouble, and said he has seen this occur very often.

Mr. Johnson said if the landscaping is in question, he would agree that adding very similar trees all the way down is appropriate, but extending more into the parking lot is a bit much. Boardmember Woldemar indicated that proper sized trees will not fit in that sized space.

Boardmember Woodrow asked if the strip could be 3 feet wide instead of 5 feet wide. It is 3 feet wide from the walk to the curb and in front of his home; they have 25 foot high trees growing there without any problem.

Boardmembers suggested hearing public comments.

Public Comments:

Shirley Petty, President of Hilltop Greens Homeowner Association, introduced her colleague, Vice President Ralph Vaca. She said they attended the first Planning Commission meeting and acknowledged the project is great. There are 500 homes within their community, but each home can have from 4-8 people living there and everybody has a car. When they first heard of the project, it was because of the homeowners that live behind the project. They responded first to the Planning Commission about the project, then they wrote to the DRB about the existing noise, car wash noise, but when they met with the owners they tried to work something out in order to go back and talk to the homeowners. A general membership meeting was held where they worked out everything which is why the condition states "insulated fence". If it was a sound wall, this is a different thing. With an insulated, higher fence which would be less costly than a sound wall, it may help to alleviate some of their concerns. The reason she returned to this meeting was because most of Hilltop Green's concerns are existing school traffic concerns and asked that they be addressed. She cited statements in the minutes regarding the drive-through not resulting in significant effects on traffic and spoke of the many buses and parents driving their children to school every day. Therefore, they believe traffic is a significant impact and is hazardous. Funerals are also escorted at times which stop traffic. There are people who shortcut and use Hilltop Drive from I-80 to Appian Way, as well, and said she hopes that issues can be worked out with the fence, noise, and traffic.

Boardmember Woldemar said it appears as if the Planning Commission, in their approval of the use permit, suggested that the County and City continue to work on solving traffic issues from Hilltop Drive and determine a fair share contribution of any traffic improvements." He asked if it would be appropriate to include this for the record as a condition under engineering conditions. Mr. Privat said it could be included, but it is advisory. Ms. Whales stated these were recommendations to the DRB and they are currently working on these now because of other substantive projects coming in the area, so everybody will contribute. Mr. Privat noted that the Board could still make this a condition of approval, as the language is included in the staff report and can be added as a suggestion.

The public hearing was closed.

Boardmember Woldemar suggested the following modifications and added conditions:

Modify Condition #4 to read, "The site plan shall be revised to include at least a 5 foot additional landscaped planter strip on the north side in front of the parking lot and further that there be a

minimum of 4, 15 gallon trees in that additional planting area along with normal groundcover and shrubbery.”

Modify Condition #6: “The site plan shall be modified to provide for additional landscaping up against the north property line. Indicate that there be a new good neighbor wood fence running the entire north property line.”

To add a project specific condition that takes the Planning Commission recommended words regarding traffic and strikes the word “a suggestion that” and add “The City and County shall continue to work on resolving traffic issues on Hilltop Drive and determine a fair share contribution for any traffic improvements.”

Mr. Privat commented and confirmed the Board’s understand that the applicant has no way to enforce this condition.

Boardmember Woldemar continued and asked to add a condition regarding signage that first determines that the signs shall not be any longer than what is agreed to by staff in the three positions where signage should occur within the limits of the columns; additionally, either the decorative lighting or illuminated signs be used and not both; that a plan shall be submitted that indicates all directional signs; and that the applicant consider using some of his sign budget to establish a logo on top of the coffee house location.

Chair Raymond Welter asked whether they should add in words to make the landscape radius by the drive aisle larger for the turn. Boardmember Woldemar presumes there is a new site plan for the area which staff and the architect will review for proper stacking and proper access to the take-out window.

Boardmember Woldemar asked to modify Condition #16 to add at the beginning of the sentence: “As required by the Fire Marshall, an automatic fire sprinkler and automatic fire alarm system shall be provided for all buildings. If required, plans shall be submitted to the Fire Department for review and approval, with the idea that the applicant has an opportunity to discuss that issue with the Fire Department.”

Mr. Lopez pointed out another condition regarding the landscaping along the good neighbor wood fence. The way it currently reads in the staff report says “it should be some sort of a shrub that is at least 6 foot tall and it can reach a height of 18 feet.” Boardmember Woldemar said he would like to retain these words in place so that when Mr. Johnson revises the drive aisle, some of the landscape in the island now would transfer back against the fence and it would include that height. Boardmember Woldemar noted that trumpet vines grow 6 feet tall in a 5-gallon minimum. He clarified that there is a requirement specifically for 15 gallon trees and 5 gallon shrubs in the ordinance.

ACTION: It was M/S (Woldemar/Woodrow) to approve PLN12-148 with staff recommendations and findings, with the following additional/modified conditions: Modify Condition #4 to read, “The site plan shall be revised to include at least a 5 foot additional landscaped planter strip on the north side in front of the parking lot and further that there be a minimum of 4, 15 gallon trees in that additional planting area along with normal groundcover and shrubbery.” Modify Condition #6: “The site plan shall be modified to provide for additional landscaping up against the north property line. Indicate that there be a new good neighbor wood fence running the entire north property line.” To add a project specific condition that takes the Planning Commission recommended words regarding traffic and strikes the word “a suggestion that” and add “The City and County shall continue to work on resolving traffic issues on Hilltop Drive

and determine a fair share contribution for any traffic improvements.” Add a condition regarding signage that first determines that the signs shall not be any longer than what is agreed to by staff in the three positions where signage should occur within the limits of the columns; additionally, either the decorative lighting or illuminated signs be used and not both; that a plan shall be submitted that indicates all directional signs; and that the applicant consider using some of his sign budget to establish a logo on top of the coffee house location. Modify Condition #16 to add at the beginning of the sentence: “As required by the Fire Marshall, an automatic fire sprinkler and automatic fire alarm system shall be provided for all buildings. If required, plans shall be submitted to the Fire Department for review and approval, with the idea that the applicant has an opportunity to discuss that issue with the Fire Department.” The motion carried unanimously by Boardmembers.

APPROVAL OF MINUTES

July 11, 2012:

ACTION: It was M/S (Woodrow/Woldemar) to approve the minutes of July 11, 2012; unanimously approved.

July 25, 2012”

ACTION: It was M/S (Woodrow/Robin Welter) to approve the minutes of July 25, 2012; unanimously approved (Woldemar abstained).

BOARD BUSINESS:

A. Staff reports, requests, or announcements

Boardmember Woodrow asked for Mr. Mitchell to provide a short overview of potential projects coming forward. Ms. Whales apologized and indicated that staff will check with Mr. Mitchell on scheduling it for the next meeting.

Noted Absent/Excused:

Mr. Privat and Boardmember Munoz were excused from the meeting at 7:35 p.m.

1. Project Signage Requirements

Ms. Whales stated that staff is requesting that the Board specify whether it is just for master sign programs or merely for signage with a commercial building because it is difficult to have the legal department provide a ruling regarding signage. Given that it is very site specific. Boardmember Woldemar said in the enabling ordinance, Section 15.04.930.070, under b.3 it states “wherever there is a question regarding the interpretation of this chapter or its application to a specific case or situation, the DRB shall interpret the intent of this chapter by written decision and such interpretation shall be followed in applying said provisions.” Therefore, it is up to the DRB to create a written decision.

Boardmember Woldemar then specifically referred to Section 15.04.930 item b, “Project signage included as part of new building construction or as part of building modification shall be reviewed for design consistency along with the design review of the structure.” In going back to the supermarket project, they specifically indicated positions for signage, and therefore, he

thinks a sign program is needed in order to satisfy the ordinance. On a project like the coffee house or the supermarket project, the DRB should get a complete sign program as a function of this so the Board can determine if it is in consistency with the design of the building. This means they must define what a sign program is. For example, the supermarket could have used the words "Lucky's" and beneath it, "drugs, beauty salon" and the Board needs to know what to expect. If the tenants are not known, at least the font could be set, as well as the color and maximum size. At least the Board can say that the formal signage could be reviewed by the staff. If it does not comply with the original approval, it would then return to the Board.

Ms. Whales said their land use attorney requested clarification before she developed an opinion. Chair Raymond Welter added that if the City wants to limit this for small additions, then they need to tell the DRB what constitutes a building modification such as square footage, or make this more specific and change the ordinance. He said in going further than that, if it was 1500 square feet but they were not changing the mansard or anything, to him, they should not be required to modify the signage if they will add this square footage. For him, what sends the coffee house into this, they will have to modify signage and the Board wants to see it. He therefore asked to make it more specific.

2. Parking and Landscape Requirements

Ms. Whales said staff is still waiting on the Parks and Recreation Department to weigh in on this and she hopes to bring this back to the Board.

Boardmember Woldemar suggested doing a simple diagram showing the site, site area, 10% of the site must be landscaped and then it show the parking area and the location of the 10% of the landscaping within the parking area. This means corners, peninsulas, at the entrances to drive aisles and does not mean the trees around the site. This would make it clear. He noted the Board got hung up on this issue for the supermarket project and did not even approach the coffee house project.

B. Board member reports, requests, or announcements - None

Adjournment:

The Board adjourned at 7:45 p.m. to the next meeting on Wednesday, September 12, 2012.